A COLLECTION

OF

THE ACTS

PASSED BY

THE GOVERNOR GENERAL OF INDIA IN COUNCIL

IN THE YEAR

1893.

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TITLES OF ACTS

PASSED BY

THE GOVERNOR GENERAL OF INDIA IN COUNCIL

IN THE YEAR 1893.

I. An Act to extend the provisions of the Bankers' Books Evidence Act, 1891, to the Books of Post Office Savings Banks and Money Order Offices.

II. „ to annex the Estate of Porahat to the Singhbhum District, and for certain other purposes.

III. „ to provide for the grant of Special Tenancies in certain Government lands in the Punjab.

IV. „ to amend the Law relating to Partition.

V. „ to legalise in certain cases the execution within British India of capital sentences which have been passed by British Courts exercising in or with respect to territory beyond the limits of British India jurisdiction which the Governor General in Council has in such territory.

VI. „ for settling Bonds of the Municipal Corporation of the City of Bombay producing an annual income of one lakh and twenty-five thousand rupees and a Mansion-house and hereditaments called "Petit Hall" in the Island of Bombay, the property of Sir Dinshaw Manockjee Petit, Baronet, so as to accompany and support the title and dignity of a Baronet lately conferred by Her Present Majesty Queen Victoria on him for and during the term of his natural life, and from and immediately after his decease to hold to his second son, Framjee Dinshaw Petit, Esquire, and the heirs male of his body lawfully begotten, and in default of such issue with remainder to the heirs male of the body of the said Sir Dinshaw Manockjee Petit, and for other purposes connected therewith.

VII. „ to amend the Inland Emigration Act, 1882.

VIII. „ to amend the Indian Coinage Act, 1870, and the Indian Paper Currency Act, 1882.

IX. „ to amend the Indian Tariff Act, 1882, as amended by subsequent Acts.

X. „ to amend the Excise Act, 1881.

XI. „ to make provision for certain matters connected with the Tributary Mahals of Orissa.

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[*Price two annas and six pies.*]

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Government of India Central Printing Office.—No. 189 L. D.—20-12-93—5,000.—Jos. D'C.

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ACT No. I OF 1893.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

Received the assent of the Governor General on the 20th January, 1893.

An Act to extend the provisions of the Bankers' Books Evidence Act, 1891, to the Books of Post Office Savings Banks and Money Order Offices.

WHEREAS it is expedient to extend the provisions of the Bankers' Books Evidence Act, 1891, to the books of the savings banks and money order offices of the Post Office; It is hereby enacted as follows:—

XVIII of 1891.

Short title and commencement.

1. (*1*) This Act may be called the Bankers' Books Evidence Act, 1893; and

(*2*) It shall come into force at once.

Addition to definition of "bank" and "banker" in section 2, sub-section (*2*), of Act XVIII of 1891.

2. After clause (*b*) of sub-section (*2*) of section 2 of the said Bankers' Books Evidence Act, 1891, the following clause shall be added, namely:—

XVIII of 1891.

"(*c*) any post office savings bank or money order office."

[*Price one anna.*]

Government of India Central Printing Office.—No. 287 L. D.—21-1-93.—4,400.—A. E. deS.

ACT No. II OF 1893.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

[*Received the assent of the Governor General on the 3rd February, 1893.*]

An Act to annex the Estate of Porahat to the Singbhum District, and for certain other purposes.

WHEREAS the estate of Porahat was confiscated by the British Government in the year 1858 and is now under the administration of the officer holding the appointment of Deputy Commissioner of the Singhbhum District;

And whereas the said estate has, by proclamation, been declared and appointed by the Governor General in Council to be subject to the Lieutenant-Governorship of Bengal;

And whereas it is expedient that the said estate should be annexed to the Singhbhum District, and should, as forming part of that district, be declared, for the purposes of the Scheduled Districts Act, 1874, to form part also of the scheduled district described in that Act as the Chutia Nagpur Division;

XIV of 1874.

It is hereby enacted as follows:—

Title and commencement.

1. (*1*) This Act may be called the Porahat Estate Act, 1893; and

(*2*) It shall come into force at once.

Annexation of Porahat estate to Singhbhum District.

2. The estate of Porahat shall henceforth become and be part of the Singhbhum District.

Estate to become part of the scheduled district

3. The said estate of Porahat, as forming part of the Singhbhum District, shall form part of the scheduled district described in Part III of the first schedule

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of Chutia Nagpur.

ule to the Scheduled Districts Act, 1874, as the Chutia Nagpur Division. XIV of 1874.

Validation of acts done since the beginning of 1858.

4. All acts of executive authority, proceedings, decrees and sentences which have been done, taken or passed in or with respect to the said estate of Porahat since the beginning of the year 1858, and before the commencement of this Act, by any officer of the Government or by any person acting under his authority or otherwise in pursuance of an order of the Government and which have been or shall be ratified by the Lieutenant-Governor of Bengal, shall be deemed to have been done, taken and passed in accordance with law; and no suit or other proceeding shall be maintained or continued against any person whatever on the ground that any such acts, proceedings, decrees or sentences were not done, taken or passed in accordance with law.

Government of India Central Printing Office—No. 327 L. D.—9-2-93.—3,900.

ACT No. III OF 1893.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(*Received the assent of the Governor General on the 3rd February, 1893.*)

An Act to provide for the grant of Special Tenancies in certain Government lands in the Punjab.

WHEREAS it is expedient to provide for the grant by the Government of special tenancies in certain lands in the Punjab which are the property of the Government and are wholly or partly irrigable from Government canals; It is hereby enacted as follows:—

Short title, extent and commencement.

1. (*1*) This Act may be called the Government Tenants (Punjab) Act, 1893.

(*2*) It extends to the territories for the time being administered by the Lieutenant-Governor of the Punjab; and

(*3*) It shall come into force at once.

Definition.

2. In this Act, unless there is something repugnant in the subject or context, "Deputy Commissioner" includes also any officer appointed by the Local Government to perform all or any of the functions of the Deputy Commissioner under this Act.

Application of Act.

3. The Local Government may, by notification in the official Gazette, apply the provisions of this Act to any tract of land which is the property of the Government and is wholly or partly irrigable from a canal the property of the Government.

Issue of statements of conditions of tenancies.

4. When this Act has been so applied to any tract, the Local Government may issue a statement or state-

state-

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ments of the conditions on which it is willing to grant to tenants lands situate in such tract.

Maintenance of registers of tenancies.

5. (*1*) When any such statement has been issued for any tract, the Deputy Commissioner shall, in manner hereinafter provided, open and maintain for such tract a register or registers of tenancies granted on the conditions prescribed in such statement.

(*2*) Every such register shall have prefixed thereto a copy of the statement of conditions to which it relates and shall be in such form and shall contain such particulars as to the tenancies registered therein as the Local Government may prescribe.

Entry in register and signature thereof on grant of tenancy.

6. (*1*) Before a tenancy is granted to any person in any such tract, the prescribed particulars regarding the proposed grant shall be duly entered in the appropriate register, and the entry shall be signed by the proposed tenant and by the Deputy Commissioner.

Effect of signature of entry.

7. When any entry in any such register has been so signed as directed in the last foregoing section, the person signing the same as proposed tenant and his successors in interest shall, notwithstanding any previous agreement or anything contained in the Punjab Tenancy Act, 1887, or the Hazara Tenancy Regulation, 1887, or any other enactment now in force, be deemed to have accepted and to hold the lands described in such entry as a tenant from the Government on the conditions prescribed in the statement prefixed to such register.

XVI of 1887.
XIII of 1887.

Transfer of rights of tenants.

8. The rights or interests vested in a tenant by or under this Act shall not be capable of being attached or sold in execution of a decree or order of any Court or in any insolvency proceedings, nor shall they or any of them, without the previous consent in writing of the Financial Commissioner, be transferred or charged by any sale, gift, mortgage or other private contract.

Sums due in respect to tenancy recoverable as arrears of land-revenue.

9. All sums due to the Government in respect of a tenancy granted in pursuance of this Act shall be recoverable as if they were arrears of land-revenue due from the tenant in respect of such tenancy.

Government of India Central Printing Office.—No. 328 L. D.—9-2-93.—3,900.—A. E. deS.

ACT No. IV OF 1893.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 9th March, 1893.)

An Act to amend the Law relating to Partition.

WHEREAS it is expedient to amend the law relating to partition; It is hereby enacted as follows:—

Title, extent, commencement and saving.

1. (*1*) This Act may be called the Partition Act, 1893.

(*2*) It extends to the whole of British India; and

(*3*) It shall come into force at once.

(*4*) But nothing herein contained shall be deemed to affect any local law providing for the partition of immoveable property paying revenue to Government.

Power to Court to order sale instead of division in partition suits.

2. Whenever in any suit for partition in which, if instituted prior to the commencement of this Act, a decree for partition might have been made, it appears to the Court that, by reason of the nature of the property to which the suit relates, or of the number of the shareholders therein, or of any other special circumstance, a division of the property cannot reasonably or conveniently be made, and that a sale of the property and distribution of the proceeds would be more beneficial for all the shareholders, the Court may, if it thinks fit, on the request of any of such shareholders interested individually or collectively to the extent of one moiety or upwards, direct a sale of the property and a distribution of the proceeds.

3. (*1*) If,

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Procedure when sharer undertakes to buy.

3. (*1*) If, in any case in which the Court is requested under the last foregoing section to direct a sale, any other shareholder applies for leave to buy at a valuation the share or shares of the party or parties asking for a sale, the Court shall order a valuation of the share or shares in such manner as it may think fit and offer to sell the same to such shareholder at the price so ascertained, and may give all necessary and proper directions in that behalf.

(*2*) If two or more shareholders severally apply for leave to buy as provided in sub-section (*1*), the Court shall order a sale of the share or shares to the shareholder who offers to pay the highest price above the valuation made by the Court.

(*3*) If no such shareholder is willing to buy such share or shares at the price so ascertained, the applicant or applicants shall be liable to pay all costs of or incident to the application or applications.

Partition suit by transferee of share in dwelling-house.

4. (*1*) Where a share of a dwelling-house belonging to an undivided family has been transferred to a person who is not a member of such family and such transferee sues for partition, the Court shall, if any member of the family being a shareholder shall undertake to buy the share of such transferee, make a valuation of such share in such manner as it thinks fit and direct the sale of such share to such shareholder, and may give all necessary and proper directions in that behalf.

(*2*) If in any case described in sub-section (*1*) two or more members of the family being such shareholders severally undertake to buy such share, the Court shall follow the procedure prescribed by sub-section (*2*) of the last foregoing section.

Representation of parties under disability.

5. In any suit for partition a request for sale may be made or an undertaking, or application for leave, to buy may be given or made on behalf of any party under disability by any person authorized to act on behalf of such party in such suit, but the Court shall not be bound to comply with any such request, undertaking

taking or application unless it is of opinion that the sale or purchase will be for the benefit of the party under such disability.

Reserved bidding and bidding by shareholders.

6. (*1*) Every sale under section 2 shall be subject to a reserved bidding, and the amount of such bidding shall be fixed by the Court in such manner as it may think fit and may be varied from time to time.

(*2*) On any such sale any of the shareholders shall be at liberty to bid at the sale on such terms as to non-payment of deposit or as to setting off or accounting for the purchase-money or any part thereof instead of paying the same as to the Court may seem reasonable.

(*3*) If two or more persons, of whom one is a shareholder in the property, respectively advance the same sum at any bidding at such sale, such bidding shall be deemed to be the bidding of the shareholder.

Procedure to be followed in case of sales.

7. Save as hereinbefore provided, when any property is directed to be sold under this Act, the following procedure shall, as far as practicable, be adopted, namely:—

(*a*) if the property be sold under a decree or order of the High Court of Calcutta, Madras or Bombay in the exercise of its original jurisdiction, or of the Court of the Recorder of Rangoon, the procedure of such Court in its original civil jurisdiction for the sale of property by the Registrar;

(*b*) if the property be sold under a decree or order of any other Court, such procedure as the High Court may from time to time by rules prescribe in this behalf, and until such rules are made the procedure prescribed in the Code of Civil Procedure in respect of sales in execution of decrees.

XIV of 1882.

Orders for sale to be deemed decrees.

8. Any order for sale made by the Court under section **2**, 3 or 4 shall be deemed to be a decree within

within the meaning of section 2 of the Code of Civil Procedure. XIV of 1882.

Saving of power to order partly partition and partly sale.

9. In any suit for partition the Court may, if it shall think fit, make a decree for a partition of part of the property to which the suit relates and a sale of the remainder under this Act.

Application of Act to pending suits.

10. This Act shall apply to suits instituted before the commencement thereof, in which no scheme for the partition of the property has been finally approved by the Court.

Government of India Central Printing Office.—No. 452 L. D.—27-3-93.—4,400.—A. E. D. S.

ACT No. V OF 1893.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(*Received the assent of the Governor General on the 9th March, 1893.*)

An Act to legalise in certain cases the execution within British India of capital sentences which have been passed by British Courts exercising in or with respect to territory beyond the limits of British India jurisdiction which the Governor General in Council has in such territory.

WHEREAS a capital sentence is occasionally passed by a British Court exercising in or with respect to territory beyond the limits of British India jurisdiction which the Governor General in Council has in such territory;

And whereas there may be in such territory no secure place for the confinement of a prisoner under sentence of death or no suitable appliances for his execution in a decent and humane manner;

It is hereby enacted as follows:—

Execution in British India of certain capital sentences not ordinarily executable there.

1. When a British Court in the exercise of such jurisdiction as is referred to in the first paragraph of the preamble to this Act—

(*a*) has sentenced any person to death, and,

(*b*) being of opinion that such sentence should for any such reason as is referred to in the second paragraph of the said preamble be executed in British India, has issued its warrant for the execution of such sentence to the superintendent or keeper of a jail in British India,

such

[*Price one anna and three pies.*]

such superintendent or keeper shall, on receipt of such warrant, cause the execution to be carried out at such place as may be prescribed therein in the same manner and subject to the same conditions in all respects as if it were a warrant duly issued under the provisions of section 381 of the Code of Criminal Procedure, 1882. X of 1882.

Jails in which sentences are to be executed.

2. The jails of which the superintendents or keepers are to execute sentences under any such warrants shall be such as the Governor General in Council, or a Local Government authorised by him in this behalf, may by general or special order direct.

Certain tribunals to be deemed British Courts under Act.

3. The tribunals mentioned in the proviso to section 19 of the Prisoners Act, 1871, shall be deemed to be British Courts for the purposes of this Act: V of 1871.

Provided that every warrant issued under this Act by any such Court shall be signed by that one of the presiding Judges thereof who is the "officer of Government" mentioned in such proviso.

Government of India Central Printing Office.—No. 453 L. D.—17-3-93—1,400.—A. E. deS.

ACT No. VI of 1893.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(*Received the assent of the Governor General on the 9th March, 1893.*)

An Act for settling Bonds of the Municipal Corporation of the City of Bombay producing an annual income of one lakh and twenty-five thousand rupees and a Mansion-house and hereditaments called "Petit Hall" in the Island of Bombay, the property of Sir Dinshaw Manockjee Petit, Baronet, so as to accompany and support the title and dignity of a Baronet lately conferred by Her Present Majesty Queen Victoria on him for and during the term of his natural life, and from and immediately after his decease to hold to his second son, Framjee Dinshaw Petit, Esquire, and the heirs male of his body lawfully begotten, and in default of such issue with remainder to the heirs male of the body of the said Sir Dinshaw Manockjee Petit, and for other purposes connected therewith.

WHEREAS by Letters Patent of Her Majesty Queen Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, dated at Westminster on or about the first day of September in the fifty-fourth year of Her Reign, and by Warrant under the Queen's sign-manual, Her said Majesty made known that She, of Her special Grace, certain knowledge and mere motion, had erected, appointed and created her trusty and well beloved Sir Dinshaw Manockjee Petit, of "Petit Hall,"

[*Price four annas and three pies.*]

Hall," in the Island of Bombay, Knight, to the dignity, state and degree of a Baronet, and him, the said Sir Dinshaw Manockjee Petit, for Her Majesty, her heirs and successors, she did erect, appoint and create a Baronet of the United Kingdom of Great Britain and Ireland by the said Letters Patent, to hold to him, for and during the term of his natural life, and from and immediately after his decease to hold to Framjee Dinshaw Petit, Esquire, second son of the said Sir Dinshaw Manockjee Petit, and the heirs male of his body lawfully begotten and to be begotten, and in default of such issue with remainder to the heirs male of the body of the said Sir Dinshaw Manockjee Petit lawfully begotten and to be begotten;

And whereas in fulfilment of an engagement in that behalf made with Her Majesty's Government the said Sir Dinshaw Manockjee Petit is desirous of settling in perpetuity such property on himself and on the said Framjee Dinshaw Petit and the heirs male of their respective bodies who may succeed to the said Baronetcy as shall be adequate to support the dignity of the title conferred on him and them as aforesaid;

And whereas the said Sir Dinshaw Manockjee Petit is seised of a Mansion-house and hereditaments situate in the Island of Bombay called "Petit Hall," and has an absolute estate of inheritance therein, and is desirous, in fulfilment of the aforesaid engagement, of settling bonds or debentures of the Municipal Corporation of the City of Bombay producing an annual income of one lakh and twenty-five thousand rupees, and the said Mansion-house and hereditaments, to the uses, upon the trusts and for the purposes hereinafter limited and declared, concerning the same respectively;

And whereas the said Sir Dinshaw Manockjee Petit is also desirous that the said Framjee Dinshaw Petit and the heirs male of his body, and also the heirs male of the body of the said Sir Dinshaw Manockjee Petit, to whom the said title and dignity of

of Baronet shall descend, shall, at the time of such descent upon them respectively, take and bear the names of "Dinshaw Manockjee Petit" in lieu of any other name or names whatever which they respectively may bear at the time of such descent on them respectively; and he is also desirous that the Accountant General, Bombay, the Collector of Bombay and the Chief Presidency Magistrate, Bombay, all for the time being, shall be trustees of the aforesaid Municipal bonds, Mansion-house and hereditaments, and be likewise the trustees for carrying into execution the general purposes and powers of this Act, with relation to the same securities and also with relation to the same Mansion-house and hereditaments;

And whereas the said Sir Dinshaw Manockjee Petit is desirous of settling the said bonds and the said Mansion-house and hereditaments so as aforesaid agreed to be settled by him for the purpose of supporting the dignity of the said Baronetcy, to the uses, upon the trusts and for the purposes hereinafter limited and declared concerning the same respectively;

And whereas it is expedient that the aforesaid purposes should be effected by an Act of the Council of the Governor General for making Laws and Regulations;

It is enacted as follows:—

Incorporation of Trustees.

1. That Arthur Frederick Cox, Esquire, the Accountant-General of Bombay, James MacNabb Campbell, Esquire, the Collector of Bombay, and Charles Philip Cooper, Esquire, the Chief Presidency Magistrate of Bombay, and their successors, the Accountant-General of Bombay, the Collector of Bombay, and the Chief Presidency Magistrate of Bombay, all for the time being, shall be and they are hereby created a Corporation with perpetual succession and a common seal under the style and title of "The Trustees of the Dinshaw Manockjee Petit Baronetcy," and that the said Arthur Frederick Cox, James NacNabb Campbell, and Charles Philip Cooper, and their said successors (hereinafter styled "The Corporation"),

Corporation"), shall be and they are hereby constituted, as such Corporation, the Trustees for executing the powers and purposes of this Act.

Heirs of Sir Dinshaw Manockjee Petit to take his name.

2. The said Framjee Dinshaw Petit and the heirs male of his body and all other the heirs male of the body of the said Sir Dinshaw Manockjee Petit to whom the said title and dignity shall descend, pursuant to the limitations of the Patent whereby the said dignity was granted, shall take upon themselves respectively the names of "Dinshaw Manockjee Petit" in lieu and in the place of any other name or names whatever; and the said Framjee Dinshaw Petit, and also such heirs male of his body and all such other the heirs male of the said Sir Dinshaw Manockjee Petit severally and successively, shall be called by the names of "Dinshaw Manockjee Petit," and by those names shall name, style and write themselves, respectively, upon all occasions whatever.

Vesting and application of income of settled property.

3. Immediately from and after the passing of this Act, bonds of the Municipal Corporation of the City of Bombay producing an annual income of not less than one lakh and twenty-five thousand rupees shall be transferred into the name of the Corporation, who shall hold the same upon the trusts and for the purposes hereinafter expressed concerning the same, (that is to say,) upon trust to continue to hold the said bonds until the same shall be discharged by the Municipal Corporation of the City of Bombay or shall be sold by the said Trustees at their discretion, and on such discharge or sale to invest the sum to be received on such occasion in or on any stocks, funds or securities of or the principal or interest of which is guaranteed by the Government of the United Kingdom of Great Britain and Ireland or the Government of India; andin like manner, as often as the same shall become necessary, to alter, vary and change such stocks, funds and securities for others of the same or like nature; and upon further trust from time to time to pay and apply the dividends, interest and annual income of the said bonds, stocks, funds and securities unto and for the benefit of the said Sir Dinshaw

Dinshaw Manockjee Petit during his natural life; and from and immediately after his decease for the benefit of the said Framjee Dinshaw Petit if he shall survive the said Dinshaw Manockjee Petit during his natural life; and from and immediately after the death of the survivor of them the said Sir Dinshaw Manockjee Petit and Framjee Dinshaw Petit for the benefit of the person who, as heir male of the body of the said Framjee Dinshaw Petit, or of the said Sir Dinshaw Manockjee Petit, as the case may be, shall for the time being have succeeded to and be in the enjoyment of the title of Baronet conferred by the said Letters Patent as aforesaid, notwithstanding any rule of law or equity to the contrary, and upon failure and in default of heirs male of the body of the said Framjee Dinshaw Petit and Sir Dinshaw Manockjee Petit, to whom the same title and dignity of Baronet may descend, upon trust for the said Sir Dinshaw Manockjee Petit, his executors, administrators and assigns, which ultimate remainder or reversion it shall be lawful for the said Sir Dinshaw Manockjee Petit, his executors, administrators and assigns, at any time or times, during the continuance of the said title and dignity of Baronet, and until there shall be a failure of heirs male of the body of the said Sir Dinshaw Manockjee Petit as aforesaid, to assign, transfer, bequeath and dispose of by deed or will or other assurance or assurances.

Application of income during minority.

4. The Corporation during the minority of any person for the time being entitled to and in enjoyment of the said dignity of Baronet under the limitations of the said Letters Patent shall pay and apply for and towards the maintenance, education and benefit of such Baronet, in each and every year during such his minority as aforesaid, so much only of the annual interest, dividends and income of the said Trust Funds and premises as the Corporation shall in their discretion think proper, and shall from time to time invest the residue of the said annual dividends, interest and income of the said Trust Funds and premises in and upon stocks, funds and securities of or

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the principal or interest of which is guaranteed by the Government of the United Kingdom of Great Britain and Ireland or the Government of India, and shall upon such Baronet attaining his majority pay over, transfer and assign to him or as he shall direct and for his absolute benefit the said investments and all accumulations thereof.

Mansion-house limited to the use of the Baronet for the time being.

5. The Mansion-house and other hereditaments called "Petit Hall" situate in the Island of Bombay, with their rights, members and appurtenances, of which the said Sir Dinshaw Manockjee Petit is seised to him and his heirs, shall, by force of this Act, from and immediately after the passing thereof, stand limited unto and to the use of the Corporation upon the trusts hereinafter declared, (that is to say,) upon trust for the said Sir Dinshaw Manockjee Petit for and during the term of his natural life and from and immediately after his decease upon trust for the said Framjee Dinshaw Petit for and during the term of his natural life, provided he shall survive the said Sir Dinshaw Manockjee Petit, and from and immediately after the decease of the survivor of them the said Sir Dinshaw Manockjee Petit and Framjee Dinshaw Petit upon trust for the heirs male of the body of the said Framjee Dinshaw Petit who may succeed to the title of Baronet conferred by the said Letters Patent as aforesaid, and, upon failure and default of heirs male of the body of the said Framjee Dinshaw Petit to whom the same title and dignity of Baronet may descend as aforesaid, upon trust for the heirs male of the body of the said Sir Dinshaw Manockjee Petit who may succeed to the said title and upon failure and default of such last-mentioned heirs male upon trust for the said Sir Dinshaw Manockjee Petit, his heirs and assigns for ever, which ultimate remainder or reversion it shall be lawful for the said Sir Dinshaw Manockjee Petit and his heirs and assigns at any time or times during the continuance of the said title and dignity of Baronet, and until there shall be a failure of heirs male of the body of the said Sir Dinshaw Manockjee Petit, as aforesaid, to grant, convey, devise and dispose

pose of by deed or will or by any other assurance or assurances by which such an estate in remainder or reversion is capable by law of being conveyed or disposed of by Parsee inhabitants of British India.

Devolution of interest where beneficiary refuses, neglects or discontinues to use the names Dinshaw Manockjee Petit.

6. Provided always that in case any person to whom for the time being the said title of Baronet shall have descended shall, for the space of one whole year after he shall by virtue of this Act become entitled to the dividends, interest and income of the said stocks, funds and securities, or to the possession or receipt of the rents and profits of the said hereditaments, or being then under age shall for the space of one whole year after he shall attain the age of twenty-one years, refuse or neglect to use the names of "Dinshaw Manockjee Petit" as hereinbefore enacted, or in case any such person having so used those names shall, for the space of six calendar months consecutively during his natural life, discontinue so to use such names, then, in any or either of the said cases, the estate or interest in the said trust funds and premises of the person who shall so refuse or neglect to use or having used shall so discontinue to use the said names of "Dinshaw Manockjee Petit" shall during the remainder of his respective natural life be suspended; and that, during any and every such suspension, the dividends, interest and income of the said stocks, funds and securities, and the possession and actual occupation and also the rents and profits of the said hereditaments shall devolve and belong to the person who, as heir male of the body of the said Framjee Dinshaw Petit or the said Sir Dinshaw Manockjee Petit, as the case may be, would have succeeded to and been in the enjoyment of the title of Baronet conferred by the said Letters Patent in case the person so refusing or neglecting to use or discontinuing to use the said names of "Dinshaw Manockjee Petit" had departed this life; but if there should be no such heir male, then to the person or persons who would be entitled to the same in case there had then been a total failure of issue male of the said Sir Dinshaw Manockjee Petit.

Power to charge settled property for jointure of widow.

7. It shall be lawful for the said Sir Dinshaw Manockjee Petit and Framjee Dinshaw Petit, and for any person upon whom the said title of Baronet shall from time to time descend, when in the actual enjoyment of the said title, and who shall not refuse, neglect or discontinue to use, for the respective periods hereinbefore in that behalf mentioned, the said names of "Dinshaw Manockjee Petit" as hereinbefore enacted, either before or after his marriage with any woman or women by any deed or deeds, writing or writings, with or without power of revocation to be by him sealed and delivered in the presence of two or more credible witnesses (but subject and without prejudice to any annuity or annuities, if any, which shall be then subsisting and payable by virtue of any appointment made under and in pursuance of this present power), to limit and appoint unto any woman or women whom he shall marry for her or their life or lives, and for her or their jointure or jointures in bar of dower or other legal or customary rights any annuity or yearly sum not exceeding the sum of ten thousand rupees, clear of all taxes, charges and deductions whatsoever to commence and take effect immediately after the decease of the person limiting or appointing the same and to be issuing and payable out of the dividends, interest and annual income of the said stocks, funds and securities, and to be paid and payable by equal half-yearly payments on the thirtieth day of June and the thirty-first day of December, the first of the said half-yearly payments to be made on the half-yearly day which shall first happen after the decease of the person who shall have appointed such annuity or yearly sum: Provided always that in case any person on whom such title shall descend shall have refused or neglected to use the names of "Dinshaw Manockjee Petit" or shall discontinue to use such names for six calendar months consecutively during his natural life, every such limitation and appointment, either previously or afterwards made by him, shall be and become inoperative and invalid, and no such annuity thereby created or appointed shall take effect or be payable, or chargeable, on the said stocks,

stocks, funds and securities, notwithstanding any such limitation or appointment.

Limitation to amount of jointure.

8. Provided always that the said dividends, interest and annual income of the said stocks, funds and securities shall not at one and the same time be subject to the payment of more than the yearly sum of twenty thousand rupees for or in respect of any jointure or jointures which shall be made in pursuance of the power hereinbefore contained, so that if by virtue of or under the same power the said dividends, interest and annual income would, in case this present provision had not been inserted, be charged at any one time with a greater yearly sum for jointures in the whole than the yearly sum of twenty thousand rupees, the yearly sum which shall occasion such excess or such part thereof as shall occasion the same shall during the time of such excess abate and not be payable.

Exclusion of wives from interest in Mansion-house.

9. The said Mansion-house and hereditaments called "Petit Hall," with their rights, members and appurtenances, shall not be subject to any right, interest or estate whatsoever which the wife of the said Sir Dinshaw Manockjee Petit or Framjee Dinshaw Petit, or the wives of any of the persons who shall successively become entitled thereto, may or might have or claim to have in the said Mansion-house and hereditaments under any custom or law of the Parsees, or otherwise howsoever.

Limitation of transfers to life of transferor.

10. Save as regards the ultimate remainders or reversions, hereinbefore limited in trust for the said Sir Dinshaw Manockjee Petit, his heirs, executors, administrators and assigns respectively, so long as the said title and dignity of Baronet shall endure, and until there shall be a failure of heirs male of the body of the said Sir Dinshaw Manockjee Petit, to whom the said title and dignity of Baronet might descend pursuant to the limitations of the Patent whereby the said dignity was granted, neither the said Sir Dinshaw Manockjee Petit nor the said Framjee Dinshaw Petit nor any of the heirs male of their respective bodies in whose

whose favour trusts are hereinbefore declared of the dividends, interest and annual income of the said bonds, stocks, funds and securities or of the said Mansion-house and hereditaments called "Petit Hall," shall transfer, dispose of, alien, convey, charge or encumber the said bonds, stocks, funds and securities, or any part thereof, or the dividends, interest and annual income thereof, or of any part thereof, or the said Mansion-house or hereditaments, or any part thereof, for any greater or larger estate, interest or time than during his natural life, and for such portion thereof only as he shall continue to use the names of "Dinshaw Manockjee Petit," nor shall any such person as aforesaid either alone or jointly with any other or others of them or with any other person or persons whomsoever have any power to discontinue or bar the estates tail hereinbefore limited in trust for the heirs male of the respective bodies of the said Framjee Dinshaw Petit and Sir Dinshaw Manockjee Petit, or either of them, or any estate or interest hereby or herein created or declared in trust or for the benefit of any person or persons for whose benefit trusts are declared by this Act of the dividends, interest and annual income of the said bonds, stocks, funds and securities, or of the said Mansion-house, hereditaments and the rents and profits thereof, or to prevent any such person or persons from succeeding to, holding or enjoying, receiving or taking the same premises according to the true intent of the provisions hereinbefore contained, nor shall the same premises or any of them be held by any Court of law or equity to have vested in any such person as aforesaid for any greater estate or interest than during his life, and only during such portion thereof as he shall continue to use the names of "Dinshaw Manockjee Petit," and every attempt to make any conveyance, assignment or assurance contrary to the intention of this Act shall be, and is hereby, declared and enacted to be void.

Addition of stocks, funds or securities

11. If at any time or times hereafter the said Sir Dinshaw Manockjee Petit or any other person or persons

sons shall be desirous of augmenting the funds and securities for the time being subject to the trusts of this Act, and for that purpose and with that intent shall at his or her own expense transfer and deliver to the Corporation any stocks, funds or securities of or the principal or interest of which is guaranteed by the Government of the United Kingdom of Great Britain and Ireland or the Government of India, then and as often as the same shall happen the said Corporation may, with the previous consent of the Governor of Bombay in Council, accept such stocks, funds and securities, and the same shall thenceforth be held by the said Corporation upon the same trusts as are declared by this Act with regard to the said bonds of the Municipal Corporation of the City of Bombay, or upon such of them as shall then be subsisting and capable of taking effect: Provided always that the total amount of the stocks, funds and securities for the time being subject to the trust of this Act shall at no time exceed fifty lakhs of rupees.

Power to settled property.

12. The Corporation shall keep the said Mansion-house called "Petit Hall," and all the out-buildings and offices thereof, and also all other messuages or buildings which may from time to time be added thereto or substituted therefor, or which may hereafter become subject to any of the trusts of this Act, adequately insured in the name of the said Corporation or of the persons for the time being constituting the same against loss or damage by fire, and may apply any portion of the income of the funds for the time being subject to the trusts of this Act to that purpose, and in case the hereditaments and premises so insured or any part thereof shall be destroyed or damaged by fire, the moneys received in respect of such insurance shall either be laid out under the direction of the said Corporation in re-building or reinstating the hereditaments and premises so destroyed or damaged by fire, or, upon the application of the person for the time being entitled to and in the enjoyment of the said dignity of Baronet and with the consent of the Governor of Bombay in Council, to be

Insurance of Mansion-house, and application of moneys received in respect of insurance.

notified

notified by a resolution of the Government of Bombay, may be laid out in the purchase of other hereditaments in the Presidency of Bombay suitable for the support of the dignity of the said title, in which last-mentioned case the hereditaments so purchased shall immediately from and after the completion of the purchase thereof be and become subject to the uses and trusts of this Act or such of them as shall then be subsisting and capable of taking effect in the same manner and to the same effect as if such last-mentioned hereditaments had expressly been named or described in the fifth section of this Act. Until such insurance moneys shall have been so laid out, the Corporation may invest the same or any part thereof in any of the Government securities specified in section 16.

Mansion-house and other hereditaments to be kept in repair.

13. The said Mansion-house and premises called "Petit Hall," and all additions thereto, and also all other messuages and hereditaments which from time to time may be or become subject to the trusts declared by this Act concerning the said Mansion-house and premises, shall be kept in good repair, order and condition by and at the expense of the person for the time being in the enjoyment of the title of Baronet conferred by the said Letters Patent, and in case any such person shall at any time neglect or refuse to keep the said Mansion-house, hereditaments and premises or any of them in such good order and condition, it shall be lawful for the Corporation to keep or cause the same to be kept in good order and condition and to defray the expense incident thereto from the income of the funds for the time being subject to the provisions of this Act.

Power of Corporation to sell or exchange Mansion-house or other hereditaments.

14. The Corporation shall hold the said Mansion-house and hereditaments known as "Petit Hall," and also any other hereditaments for the time being vested in them by virtue of this Act, upon trust with the consent of the person entitled to and in the actual enjoyment of the title of Baronet conferred by the said Letters Patent, and with the consent of the Governor of Bombay in Council to be notified as aforesaid, to sell or exchange for other lands or hereditaments in the

the Presidency of Bombay the said Mansion-house and hereditaments, and also any other such hereditaments as aforesaid, and upon any such exchange to give or receive any money for equality of exchange.

Powers of Corporation in respect of such sale or exchange.

15. And it is hereby declared that any such sale as aforesaid may be made either by public auction or private contract, and that the Corporation may make any stipulations as to title or evidence or commencement of title or otherwise in any conditions of sale or contract for sale or exchange of the said hereditaments or any part thereof, and may buy in or rescind or vary any contract for sale or exchange and re-sell or re-exchange without being responsible for any loss occasioned thereby.

Investment of moneys received on such sale or exchange.

16. And it is hereby declared that the said Corporation shall receive all moneys which may become payable upon any such sale or exchange as aforesaid, and with all convenient speed invest the same either in the purchase of any stocks, funds or securities of or the principal and interest of which is guaranteed by the Government of the United Kingdom of Great Britain and Ireland or the Government of India, or in the purchase of other lands or hereditaments situate in the Presidency of Bombay and suitable for the support of the dignity of the said title, yet so as that every such purchase of lands or hereditaments be made with the consent in writing of the person then entitled to and in the actual enjoyment of the said title.

Investments and lands resulting from such sale or exchange to be held on trusts declared by this Act.

17. And it is hereby declared that the stocks, funds and securities and the lands or hereditaments, respectively, so to be purchased or taken in exchange as aforesaid shall from and immediately after the completion of the purchase or exchange thereof, respectively, be held upon the trusts in and by this Act declared of and concerning the said bonds of the Municipal Corporation for the City of Bombay and the said Mansion-house and premises called "Petit Hall," respectively, or such of them, respectively, as may then be subsisting and capable of taking effect.

Reimbursement of

18. It shall be lawful for the Corporation out of the

expenses of Corporation.

the money which shall come to their hands by virtue of the trusts and provisions of this Act to retain and reimburse themselves all costs, damages and expenses which they shall or may sustain, expend or disburse in or about the execution of the aforesaid powers, trusts and provisions, or in relation thereto.

Saving existing rights.

19. Saving always to the Queen's Most Excellent Majesty, Her heirs and successors, and to all and every other person and persons, bodies politic and corporate, and his, her and their respective heirs, successors, executors and administrators and every of them (other than and except the said Sir Dinshaw Manockjee Petit, his devisees, heirs and assigns), all such estate, right, title, interest, claim and demand whatsoever of, into, out of or upon the said Mansion-house and hereditaments called "Petit Hall," or any part or parts thereof, as they, every or any of them, had before the passing of this Act, and would, could or might have had, held or enjoyed in case this Act had not been passed.

Government of India Central Printing Office.—No. 451 L. D.—1-4-93.—4,400.—G. C. Sen.

ACT No. VII OF 1893.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(*Received the assent of the Governor General on the 24th March, 1893.*)

An Act to amend the Inland Emigration Act, 1882.

WHEREAS it is expedient to amend the Inland Emigration Act, 1882; It is hereby enacted as follows:— I of 1882.

Short title and commencement.

1. (*1*) This Act may be called the Inland Emigration Act, 1893; and

(*2*) It shall come into force at once.

Substitution of new section for section 1, Act I of 1882.

2. For section 1 of the said Inland Emigration Act, 1882, the following shall be substituted, namely:— I of 1882.

Short title.

"1. This Act may be called the Assam Labour and Emigration Act, 1882.

Local extent.

"It extends—

(*a*) to the territories respectively administered by the Lieutenant-Governors of Bengal and the North-Western Provinces and the Chief Commissioners of Oudh, the Central Provinces and Assam, and to the district of Ganjam; and

(*b*) to such other portions of the territories administered by the Governor of Fort St. George in Council as the Governor in Council, with the previous sanction of the Governor General in Council, may, by notification in the Fort St. George Gazette, from time to time direct.

It

[*Price six annas.*]

Commencement.

"It shall come into force—

(*i*) in the territories mentioned in clause (*a*) of this section, at once; and

(*ii*) in any territories to which it may be extended by a notification under clause (*b*) of this section, on such day as may be specified in that behalf in such notification."

Amendments of section 3.

3. (*1*) In section 3 of the said Act, in the definition of the expression "the labour-districts," the words "Chittagong, the Chittagong Hill Tracts," and "Khasi Hills" are hereby repealed.

(*2*) In the same section of the said Act, in the definition of the word "emigrate," the words "not being a labour-district" are hereby repealed; and for the words "Chief Commissioner of Oudh" the following shall be substituted, namely:—

"Chief Commissioners of Oudh and the Central Provinces, or from any portion of the territories administered by the Governor of Fort St. George in Council in which this Act may, for the time being, be in force."

(*3*) In the same section of the said Act, in the definition of the word "dependent", for the word "means" the word "includes" shall be substituted.

Amendments of section 4.

4. In section 4 of the said Act, after the word "labour-district," where it first occurs, the words "or specified area thereof," and after the same word where it afterwards occurs, the words "or area," shall be respectively inserted.

Amendment of section 9.

5. For the penultimate paragraph of section 9 of the said Act the following shall be substituted, namely:—

"No such contract shall be made for a term exceeding four years or, if the contract is entered into under the provisions of section 111 of this Act, for a term exceeding one year, commencing from the date of its execution; or shall stipulate for a less rate of monthly

monthly wages for a completed daily task regulated in accordance with the provisions of this Act than five rupees in the case of a man and four rupees in the case of a woman, for the first three years of the term of the contract, and six rupees in the case of a man and five rupees in the case of a woman for the fourth year of such term."

Addition of new section after section 9.

6. After the same section of the said Act the following shall be inserted, namely :—

In absence of specific obligation, under-ground labour not obligatory.

"9A. Unless the contract contains a specific obligation to this effect, no labourer shall be bound by any labour-contract entered into under this Act to undertake any work involving under-ground labour in mines."

Addition of new sections after section 11.

7. After section 11 of the said Act the following sections shall be inserted, namely :—

Power of Local Government to cancel contract for wrongful recruitment.

"11A. If the Local Government, after such enquiry as it thinks sufficient, is of opinion that any labourer was recruited or conveyed to a labour-district, or compelled or induced to enter into a labour-contract, by any coercion, undue influence, fraud or misrepresentation, or that any such irregularity has occurred in connection with his recruitment or the execution of his contract as makes it just to rescind his contract, the Local Government may, by an order in writing, direct the labour-contract of such labourer to be cancelled.

"On receipt of any such order by the Local Government, the Superintendent, Inspector or Magistrate shall cancel the contract referred to, and shall thereupon make an endorsement that it has been so cancelled on the labourer's copy of the contract or, if the same be not forthcoming, shall give to the labourer a certificate to that effect.

Power to cancel contract of

"11B. When the labour-contract of any labourer is or has been cancelled under the last foregoing section, the

labourer related to labourer whose contract is cancelled.

the Local Government may, at its discretion and on the application of the labourer concerned, cancel the labour-contracts of any labourers, being the wife, husband, father, mother, son or daughter of the labourer whose labour-contract is or has been cancelled, who may have entered into a labour-contract at the same place with the same employer or, in the case of labour-contracts cancelled in the labour-districts, may be employed on any estate belonging to the same employer.

Repatriation of labourers whose contracts cancelled for wrongful recruitment.

"11C. Subject to any orders which the Local Government may issue in this behalf, the Superintendent, Inspector or Magistrate may send back to his native district any labourer, together with his dependents (if any) whose contract has been cancelled under section 11A, and may recover the whole or any part of the expenses incurred in so sending him back, as follows, namely :—

(*a*) when the contract has been cancelled before the labourer has reached the labour-districts, in accordance with the provisions of section 49 or section 79, as the case may be, as if it were a sum recoverable under one of those sections ;

(*b*) when the contract has been cancelled in a labour-district, from the employer on whose estate the labourer was under contract to labour, as if it were an arrear of wages.

Escort for repatriated labourer.

"11D. In any case in which a labourer is sent back to his native district under the provisions of the last foregoing section, the Superintendent, Inspector or Magistrate may provide an escort or make such other arrangements as may appear to him to be necessary for ensuring that such labourer is actually conveyed to such district. Any expenditure incurred in providing such escort or making such arrangements may be recovered as part of the amount expended in sending such labourer back to his native district."

8. For

8. For section 16 of the said Act the following shall be substituted, namely :— Substitution of new section for section 16.

"16. No sub-contractor shall be licensed to act on behalf of more than one contractor." Sub-contractor only to represent one contractor.

9. After section 42 of the said Act the following shall be inserted, namely :— Addition of new sections after section 42.

"42A. If the employer with whom any labourer intends to contract, or the agent of such employer, has given notice to the Superintendent that before any labour-contract is entered into by him or on his behalf with any labourer, the labourer shall be examined by a competent medical man and certified by him to be in a fit state of health and able in point of physical condition to reside and labour for hire in the labour-district in which the estate of such employer is situate, the Superintendent shall not permit such labourer to execute a labour-contract until such certificate from such medical man as aforesaid has been produced and shown to him. Employer may require medical certificate as to fitness to labour previous to contract.

"42B. If the employer or his agent has directed that such examination shall be made by any medical officer in the service of Government, such officer making the examination shall be entitled to receive from such employer or his agent such a fee not exceeding eight annas for each labourer so examined as the Local Government may fix." Medical officer entitled to fee.

10. In section 84 of the said Act, after the word "registered" the words "and such further sum (if any) by way of compensation as the Superintendent thinks reasonable" shall be inserted. Amendment of section 84.

11. In section 86 of the said Act all the words after the word "labour-districts" are hereby repealed. Amendment of section 86.

12. For section 111 and 112 of the said Act the following shall be substituted, namely :— Substitution of new sections for sections 111 and 112.

"111. Any employer may enter into a labour-contract Labour-contracts executed in

labour-districts between employer and native direct.

contract for any term not exceeding one year commencing from the date of the execution of the contract with any native of India within the labour-district in which the estate on which such native contracts to labour is situated. When any employer has executed any such contract with any such native within a labour-district, he shall, within one month from the date of the execution of such contract, forward it in duplicate to the Inspector within the local limits of whose jurisdiction such estate is situated. On receipt of the contract so forwarded, the Inspector shall enter an abstract thereof in a register to be kept by him for the purpose, and shall then give one copy of the contract to the labourer and the other copy to his employer.

Registration of such contracts.

Verification and cancellation of such contracts.

"111A. When, for the first time after the registration of any such contract with a labourer, the Inspector visits the estate on which such labourer is employed, the employer shall cause such labourer to appear before the Inspector for the purpose of having his contract verified, and such labourer may thereupon apply to the Inspector to cancel the contract; and, if he shows cause sufficient in the opinion of the Inspector to justify the cancellation, the Inspector shall cancel the contract, and shall thereupon make an endorsement that it has been cancelled on the labourer's copy of the contract, or, if such copy be not forthcoming, shall give to the labourer a certificate to that effect.

Power of Inspector or Magistrate to require labourer who has executed such contract to appear before him.

"111B. The Inspector or Magistrate may at any time, either on the application of the employer or the labourer or of his own motion, require the employer to cause any labourer who has entered into a contract under section 111 and is employed upon any estate within the local limits of the jurisdiction of the Inspector or Magistrate to appear before him for the purpose of having his contract verified; and, if such labourer applies to the Inspector or Magistrate to cancel his contract and shows cause sufficient in the opinion of the Inspector or Magistrate to justify such cancellation,

cancellation, the Inspector or Magistrate shall cancel the contract as provided in the last preceding section.

Labour-contracts executed within labour-districts before Inspector or Magistrate.

"112. Notwithstanding the provisions of section 111, any employer may enter into a labour-contract with any native of India in a labour-district for any term not exceeding four years commencing from the date of the execution of the contract if he appears either in person or by agent with such native before the Inspector or Magistrate within the local limits of whose jurisdiction the estate upon which such native is about to contract to labour is situated.

"Such Inspector or Magistrate shall thereupon explain the labour-contract to such native, and shall, if satisfied that he is competent to enter into and understands the same, call upon him and the employer or his agent to execute it in his presence; and, if they execute it, shall attest such execution with his signature.

"An abstract of every such labour-contract shall be entered in a register to be kept by the Inspector or Magistrate for the purpose; and one copy of such contract shall then be given to the labourer and the other copy to his employer or his agent.

"In respect of every labour-contract an abstract whereof is registered under section 111 or under this section, the employer who executes such contract in person or by agent shall pay to the Inspector or Magistrate such fee, not exceeding one rupee, as the Local Government may from time to time direct.

Execution of labour-contract before Inspector or Magistrate of Dhubri.

"112A. For the purposes of the last preceding section an estate situated in any one of the following districts of the Assam Valley Division, namely, Kamrup, Darrang, Nowgong, Sibsagar and Lakhimpur, shall be deemed to be also situate within the local limits of the jurisdiction of the Inspector and Magistrate resident at the civil station of Dhubri in the Goalpara District; and, subject to such rules as the Local Government may prescribe in this behalf,

contracts

contracts to labour on any estate in any of the labour-districts above named may be executed and registered before the Inspector or Magistrate at Dhubri in accordance with the provision of the last preceding section.

Power of Local Government to frame rules in connection with the execution of labour-contracts at Dhubri.

"112B. The Local Government may, after previous publication, make rules consistent with this Act with respect to all or any of the following matters, namely:—

(*a*) the execution and registration of contracts under section 112A before the Inspector or Magistrate at Dhubri;

(*b*) the medical examination at Dhubri by the Civil Surgeon or other competent medical man of labourers and persons intending to become labourers and their dependents;

(*c*) the conditions under which depôts, rest-houses and other places may be established and maintained at Dhubri for the reception and lodging of labourers and persons intending to become labourers and their dependents; the sanitation and management of such depôts, rest-houses and other places; the arrangements for food, water and conservancy therein; the clothing and necessary utensils to be supplied to persons lodged therein; and the hospital accommodation for and medical treatment of such persons;

(*d*) the control and inspection by officers of Government of such depôts, rest-houses and other places; and

(*e*) the registers to be kept, and the reports and returns to be made, by the persons in charge of such depôts, rest-houses and other places."

13. For

13. For section 114 of the said Act the following shall be substituted, namely :— Substitution of new section for section 114.

"114. Any Inspector or Magistrate or any person authorized by either of them in writing in this behalf may at any time enter and inspect all lands and houses wholly or partially used by or for labourers, or by or for any other natives of India employed on any estate, and may require that all such labourers or natives, or any particular class or classes or individual or individuals of them, shall be brought before him, and that a copy of the labour-contract of any labourer shall be produced, and may make any inquiries which he thinks proper touching the condition or treatment of such labourers or other natives or any of them, and the employer shall be bound to comply with such requisition and to answer such inquiries to the best of his ability." Powers of Inspector or Magistrate to inspect lands and houses and to make requisitions and inquiries.

14. In section 115 of the said Act, for the words "whole number of days in the current month," the following shall be substituted, namely :—"number of working days in the current month. The number of working days in any month shall be ascertained by deducting the number of Sundays from the whole number of days in the month." Amendment of section 115.

15. For the last sentence of section 121 of the said Act the following shall be substituted, namely :— Amendment of section 121.

"The Inspector shall from time to time, when visiting the estate, on the application of the employer, and may also at any other time on the application of either the employer or the labourer, endorse on the labourer's labour-contract, after such enquiry as may be necessary, the number of days so to be added to the term thereof :

"Provided that an employer who omits to apply for the endorsement of such days on any labourer's labour-contract, when the Inspector is actually visiting the estate, shall, in the absence of sufficient reasons to the contrary shown to the satisfaction of the

Inspector,

Inspector, be debarred from applying afterwards for such endorsement in so far as days of absence which occurred prior to the date of the Inspector's last visit are concerned."

Amendment of section 128.

16. Between the first and second paragraphs of section 128 of the said Act the following shall be inserted, namely:—

"The Magistrate of the District may also of his own motion summon such a Committee, if, either from his own observation or upon the report of an Inspector, Magistrate or Medical Officer, he is of opinion that any estate or portion of an estate is, for any of the reasons aforesaid, unfit for the residence of labourers or of any particular class of labourers."

Addition of new section after section 128.

17. After the same section of the said Act the following shall be inserted, namely:—

Local Government may order Committee.

"128A. If it appears to the Local Government, upon the report of an Inspector, Magistrate or Medical Officer,—

(*a*) that any estate or portion of an estate is for any of the reasons given in the last preceding section unfit for the residence of labourers or of any particular class of labourers, or

(*b*) that the percentage of mortality of labourers or of any particular class of labourers employed on any estate or on any portion of an estate is such as would justify the institution of an inquiry by a medical officer under section 130 of this Act,

the Local Government may direct the Magistrate of the District to summon a Committee under the last preceding section; and the Magistrate of the District shall forthwith proceed to summon a Committee accordingly."

Addition to section 129.

18. To the last paragraph of section 129 of the said Act the following shall be added, namely:—

"Where the finding relates to the whole of any estate and the employer has no other estate in the same

same labour-district on which the labourer may be employed, the Inspector shall cancel the labour-contract of such labourer, and shall thereupon make an endorsement that it has been cancelled on the labourer's copy of the contract, or, if such copy be not forthcoming, shall give to the labourer a certificate to that effect."

Addition of new section after section 129.

19. After section 129 of the said Act the following shall be inserted, namely :—

Local Government may pass orders on proceedings of Committee.

"129A. The Local Government may call for the proceedings of any Committee summoned under section 128 or section 128A of this Act, and, if the finding of such Committee is not unanimous, the Local Government may record any finding thereon which such Committee was competent to record, and such finding shall have the same effect as the finding of a Committee under section 129."

Amendments of section 130.

20. In section 130 of the said Act, after the words "Local Government" each time they occur the words "or the Magistrate of the District" shall be inserted, and to the same section the following shall be added, namely :—

"Provided that, when the mortality among any particular class of labourers employed on an estate or any specified portion of an estate exceeds the percentage specified in this section, the Local Government or Magistrate of the District may direct an inquiry under this section limited to such particular class of labourers."

Amendments of section 132.

21. (*1*) In section 132 of the said Act, for the words "and that such estate or portion is thereby rendered" the words "or that such estate or portion is" shall be substituted.

(*2*) In the same section, for the words following the word "labourers" the first time it occurs down to and including the same word the second time it occurs, the words "or of any particular class of labourers, it may make a declaration in writing to that effect," shall be substituted.

22. For

Substitution of new section for section 133.

22. For section 133 of the said Act the following shall be substituted, namely :—

Power to certify fitness of estate or portion found or declared to be unfit.

"133. If it at any time appears to the Inspector that any estate or smaller area, which has been found or declared under any of the preceding provisions to be unfit for the residence of labourers or of any particular class of labourers, has become fit for the residence of such labourers or class of labourers, as the case may be, he shall, with the previous sanction of the Magistrate of the district in which such estate or area is situate, give a certificate to that effect signed by him. Thereupon all such labourers as are mentioned or referred to in the last paragraph of section 129, and whose contracts have not been cancelled by the Inspector under that section, shall again be bound to labour on the estate or area, as the case may be, to which the certificate relates for the unexpired periods (if any) of their respective contracts."

Addition of new section after section 140.

23. After section 140 of the said Act the following shall be inserted, namely :—

Power to cancel contract of labourer related to labourer whose contract is cancelled or determined.

"140A. When the labour-contract of any labourer is or has been cancelled or determined under section 111A, 111B, 122 or 140, the Inspector or Magistrate, as the case may be, may, at his discretion, and on the application of the labourers concerned, cancel the labour-contract of any labourer employed on any estate belonging to the same employer being a wife, husband, father, mother, son or daughter of the labourer whose labour-contract is or has been so cancelled or determined."

Amendment of section 142.

24. In the last paragraph of section 142 of the said Act, for the words "third, fourth and fifth years" the words "third and fourth years" shall be substituted.

Addition of new sections after section 142.

25. After section 142 of the said Act the following shall be inserted, namely :—

Power to equalize

"142A. In any case in which the contract of a labourer

labourer determines at a different time from that of any other labourer who is the wife or husband of such labourer, the Inspector or Magistrate may, on the joint application of such labourers, equalize the terms of their respective contracts, and may for this purpose add to the term of the contract which expires first and deduct from the term of the contract which expires last in such proportions as may appear to him to be equitable. terms of contract in case of husband and wife.

"Every such addition or deduction from the term of any contract shall be certified by such Inspector or Magistrate on the back of both the employer's and the labourer's copies of the contract, or, if the same be not forthcoming, by writing under the Inspector or Magistrate's hand, copies of which shall be delivered to the employer and the labourer.

"*F.—Repatriation of Labourers and others.*

"142B. If any labourer, not being a native of the labour-districts, whose contract is determined under section 122, desires to be sent back to his native district, the Inspector may, instead of awarding a sum as receivable by such labourer from his employer, as provided by that section, order the employer to deposit such amount, whether in excess of the three months' wages awardable under that section or otherwise, as shall, in the Inspector's opinion, be sufficient to cover the entire expenses of sending the labourer to such district. Such amount shall be deposited by the employer in the Inspector's office and shall be expended by the Inspector in sending the labourer back to his native district. Repatriation of labourers whose contract is determined under section 122.

"On failure of the employer to deposit such amount within twenty-four hours in accordance with any such order, the Inspector may pay the same, and any amount so paid shall be recoverable from the employer as if it were an arrear of wages.

"142C. If any person, being a native of India but not being a labourer, who has emigrated from his native Repatriation of immigrants not

under contract who are physically incapacitated.

native district to a labour-district for the purpose of labouring for hire in any estate situate therein, or being a dependent of any person who has so emigrated, has no means of subsistence and is, in the opinion of the Inspector or Magistrate, permanently incapacitated from earning his livelihood in a labour-district, the Inspector or Magistrate may, on the application of such person, send him back, together with his dependents (if any) to his native district, and may, subject to the control of the Local Government, charge the expenses incurred in so doing to the Inland Labour Transport Fund.

Repatriation of labourers wrongfully recruited.

"142D. Subject to any orders which the Local Government may issue in this behalf, the Inspector or Magistrate may send back to his native district any labourer, together with his dependents (if any), whose contract has been cancelled under sections 111A or 111B on the ground of coercion, undue influence, fraud or misrepresentation, or of any irregularity in connection with his recruitment or the execution of his contract, and may recover, as if it were an arrear of wages, from the employer on whose estate such labourer was under contract to labour, the whole or any part of the expenses incurred in so sending him back.

Repatriation of persons not under contract wrongfully recruited.

"142E. If it appears to the Inspector or Magistrate, on complaint made before him or otherwise, that there is reason to suppose that any native of India, not being a labourer, has been induced by any coercion, undue influence, fraud or misrepresentation to emigrate to a labour-district, the Inspector or Magistrate shall call upon the employer on whose behalf such person was made or induced to emigrate, or to whose estate he is being or has been conveyed, or, if the employer cannot be communicated with without undue delay, upon his agent or any one accompanying such person or conveying him to any labour-district or estate, to appear before the Inspector or Magistrate and show cause why such person should not be sent back to his native district.

"If

"If the Inspector or Magistrate is of opinion, after such enquiry as he thinks sufficient, that such person was engaged or compelled or induced to emigrate by any such coercion, undue influence, fraud or misrepresentation as would justify his being sent back to his native district, the Inspector or Magistrate shall record a finding to this effect, and shall send such person, if he so desires, together with any other persons dependent on him (if any), back to his native district.

"Subject to any orders which the Local Government may issue in this behalf, the whole or any part of the amount expended in sending a person back to his native district under this section may be recovered as if it were an arrear of wages from the employer on whose behalf such person was induced to emigrate or to whose estate he was being or had been conveyed; or if the employer is not known, or if there is no such employer, by distress and sale of any moveable property belonging to the person accompanying such person or conveying him to any labour-district or estate.

Arrangements may be made for escorting persons ordered to be repatriated.

"142F. In any case in which a labourer or other person is sent back to his native district under the provisions of section 142D or section 142E, the Inspector or Magistrate may provide an escort or make such other arrangements as may appear to him to be necessary for ensuring that such labourer or person is actually conveyed to such district. Any expenditure incurred in providing such escort or making such arrangements may be recovered as part of the amount expended in sending such labourer or other person back to his native district."

Amendment of sections 143 and 145.

26. To section 143 of the said Act the words "In addition to any other power to make rules conferred by this Act" shall be prefixed; and in section 145 of the said Act, for the word "hereunder" the words "under this Act" shall be substituted.

27. For

Substitution of new section for section 151.

Garden-sardar failing to report himself, etc.

27. For section 151 of the said Act the following shall be substituted, namely:—

"151. Whoever, being a garden-sardar,

fails, within fourteen days after his arrival in the local area within which he is authorized to enter into contracts under this Act, to report himself to the local agent (if any) specified in his certificate, or

fails without sufficient cause to return to his employer within the time specified in his certificate, or

fails to account for the money advanced to him by his employer for the purpose of engaging labourers, and

whoever, being a garden-sardar or a person appointed under section fifty or section seventy-three to accompany labourers to a labour-district, wilfully abandons any labourer or his dependent on the way to such district, or

removes or attempts to remove any person to a labour-district before he has been registered as provided by section sixty-six, or

induces or attempts to induce any person to go to a labour-district or to leave the local area specified in the certificate of such sardar before he has been so registered, or aids or attempts to aid him in proceeding to a labour-district or in leaving any such local area before he has been so registered,

shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to fifty rupees, or with both."

Substitution of new section for section 152.

Garden-sardar making over labourers to contractors,

28. For section 152 of the said Act the following shall be substituted, namely:—

"152. Any garden-sardar who makes over to any contractor, sub-contractor or recruiter, or to the garden-sardar or local agent of any employer other than the employer by whom his certificate was granted

or,

or, without authority from his employer, to any other person, any persons whom he has engaged or intends to engage as labourers, or

or committing like offences.

places any such person in a contractor's depôt or in the place of accommodation provided by a recruiter in accordance with the provisions of section 27, or

allows any persons engaged as labourers by any contractor or sub-contractor or recruiter to share the accommodation provided by him under section 57,

shall be punished with imprisonment for a term which may extend to three months, or with fine which may extend to one hundred rupees, or with both; and his certificate may be impounded by the convicting Magistrate.

"Any Magistrate impounding a certificate under this section shall send it for cancellation to the Magistrate by whom it was countersigned."

Amendment of section 164.

29. In section 164 of the said Act, after the word "inquiry" the words "or omits to comply with any requisition" shall be inserted.

Amendment of section 170.

30. In the second paragraph of section 170 of the said Act, after the words "any Inspector who receives any such statement shall" the words "if the employer so desires" be inserted, and to the same section the following shall be added, namely:—

"The Inspector may also at any time other than that of his visit to the estate, on the application of either the employer or the labourer, after due enquiry, endorse such days of absence on, and add them to the term of, the labour-contract: Provided that an employer who omits to apply for the endorsement of such days on any labourer's labour-contract when the Inspector is actually visiting the estate shall be debarred, in the absence of sufficient reasons to the contrary shown to the satisfaction of the Inspector, from applying afterwards for such endorsement so far as days of absence reported in statements sent to the Inspector

spector previous to the date of his last visit are concerned."

Addition of new section after section 171.

31. After section 171 of the said Act the following section shall be inserted, namely :—

Statement of deserters.

"171 A. Every employer may, on or before the fifteenth day of each month, send to the Inspector a statement in writing in such form as the Local Government may prescribe containing the names of all or any of his labourers who have deserted from his service during the preceding month, or who, having deserted at any previous time, have been absent during the preceding month, or who, having deserted during the month or previously, have been arrested or have returned to his service during the preceding month."

Substitution of new section for section 173.

32. For section 173 of the said Act the following shall be substituted, namely :—

Procedure at police-station.

"173. The police-officer in charge of such station shall, on the appearance of the parties, take down in writing the statements of the labourer arrested and of the person arresting the labourer.

"If the labourer admits the contract and does not claim to be forwarded to a Magistrate, the police-officer may permit the person arresting the labourer to convey him to the estate on which he is under contract to labour, and shall then transmit the statements recorded and a report of his proceedings to the Magistrate within the local limits of whose jurisdiction the police-station is situated.

"If the labourer does not admit the contract or claims to be forwarded to the Magistrate, or if, for any reason, it appears to the police-officer desirable that he should be so forwarded, the police-officer shall forthwith send such labourer, together with the statements recorded as aforesaid and a report of his proceedings, to the Magistrate within the local limits of whose jurisdiction the police-station is situated.

"If

"If the estate on which the labourer is under contract to labour is not situate within the local limits of the jurisdiction of the Magistrate referred to in the last two preceding paragraphs, such Magistrate shall forward the statements and report received by him from the police to the Magistrate within the local limits of whose jurisdiction such estate is situate. He shall also, when the labourer has been sent to him by the police, either forward the labourer to, or take security for his appearance before, such Magistrate.

"On receipt of such statements and report, the Magistrate within the local limits of whose jurisdiction such estate lies may, after making such inquiry as he considers desirable into the case, pass such order in accordance with law as he thinks proper. For the purpose of any such inquiry such Magistrate may, if he thinks fit, in any case in which the labourer arrested has not been sent to, or appeared before, him, require the labourer to appear before him."

Additions to section 175.

33. In section 175 of the said Act—

(*a*) after the words "one month" the words "or with fine which may extend to twenty rupees, or with both,"

(*b*) after the words "two months" the words "or with fine which may extend to fifty rupees, or with both,"

(*c*) after the words "three months" the words "or with fine which may extend to one hundred rupees, or with both,"

shall be added, respectively.

Substitution of new sections for section 182. Endorsement on contract of period of unlawful absence or imprisonment for offence against Act.

34. For section 182 of the said Act the following shall be substituted, namely :—

"182. When any labourer is convicted under section 171 of absence from labour or is sentenced to imprisonment for an offence under this Act, the Magistrate so convicting or sentencing him shall endorse on the employer's copy of the labour-contract the period during which such labourer is convicted under

under the section aforesaid of being absent from his labour or the term for which he is sentenced to imprisonment, or both, as the case may be.

Endorsement on contract of desertion or imprisonment for desertion.

"182A. When any labourer is convicted under section 175 of desertion from his employer's service, the Magistrate convicting him shall, on the application of the employer or his agent, endorse on the employer's copy of the labour-contract (in addition to the term of imprisonment to which the labourer may be sentenced for such desertion), the period during which the Magistrate finds that the labourer was absent from his labour in contravention of his contract owing to such desertion:

"Provided that no such endorsement shall be made in any case in which the labour-contract has been cancelled under the provisions of section 177 or in any case in which the original term of the labour-contract has expired on the date of the conviction, and more than three years have elapsed from the date of the labourer's desertion to that of his arrest:

"Provided also that the employer has duly reported the particulars of the desertion in the monthly statement provided for in section 171A.

Endorsement on contract of period of any other imprisonment.

"182B. When any labourer is sentenced to imprisonment for any time not exceeding three years for any offence other than an offence under this Act, the Court or Magistrate so sentencing him shall, if the employer or his agent shall so request, endorse on the employer's copy of the labour-contract the period for which the labourer is sentenced to imprisonment, or, if such period exceeds the unexpired term of the labour-contract on the date of the sentence, so much of such period as is equal to such unexpired term.

Periods endorsed to be added to term of contract.

"182C. The periods endorsed under the three last preceding sections shall be added to the term for which the labourer contracted to serve; and such labourer shall not be deemed to have performed his labour-contract till he has served for the term specified therein in addition to the period so endorsed."

35. After

35. After section 183 of the said Act the following shall be inserted, namely :— Addition of new section after section 183.

"183A. Whoever, being bound under section 111 to forward any labour-contract to the Inspector, or under section 111B to cause any labourer to appear before the Inspector or Magistrate, wilfully omits or neglects so to forward such labour-contract to the Inspector at or within the time specified, or to cause such labourer to appear before the Inspector or Magistrate within a reasonable time, shall be punished with fine which may extend to two hundred rupees." Failure to forward contract under section 111 or to cause labourer to appear under section 111B.

36. In section 192 of the said Act, after the words "leave allowances" the words "for meeting the cost of sending labourers and other persons back to their native districts" shall be inserted. Amendment of section 192.

37. (*1*) In the schedule to the said Act, opposite the word "labour" where it first occurs, the following note shall be inserted, namely :— Amendments of schedule.

"* State nature of labour if the labourer is to be required to work under the ground.

(*2*) In the same schedule, for the portion which follows the tabular statement, headed "*Form of Description of Labourer,*" the following shall be substituted, namely :—

"[*Endorsement to be filled up by Registering officer before whom the contract is executed.*]

I hereby certify that, before the said *A B* signed this contract, I personally explained it to him.

Dated at
This day of } Signed ———
Registering Officer or Inspector or Magistrate.

[*Endorsements*

(*Section 38.*)

[*Endorsements on labourer's copy of contract to be filled up when the contract is determined or cancelled.*]

I hereby certify that the foregoing contract has been determined by effluxion of time.

Dated at } *Signature of employer*
This day of } *or Inspector.*

I hereby certify that the foregoing contract has been cancelled under the provisions of section of Act

Dated at } *Signature of Inspector*
This day of } *or Magistrate.*"

Repeal of Act XXII of 1891.

38. Act XXII of 1891 (*an Act to extend the Inland Emigration Act, 1882*) is hereby repealed.

Government of India Central Printing Office.—No. 505 L D.—6-5 93.—3,900.

ACT No. VIII OF 1893.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 26th June, 1893.)

An Act to amend the Indian Coinage Act, 1870, and the Indian Paper Currency Act, 1882.

XXIII of 1870. XX of 1882.

WHEREAS it is expedient to amend the Indian Coinage Act, 1870, and the Indian Paper Currency Act, 1882: It is hereby enacted as follows:—

Title and commencement.

1. (*1*) This Act may be called the Indian Coinage and Paper Currency Act, 1893; and

(*2*) It shall come into force at once.

Repeal of existing enactments.

2. The enactments specified in the schedule hereto shall be repealed or modified to the extent and in the manner mentioned in the third column thereof, but no such repeal or modification shall affect anything already done, or any right or obligation heretofore acquired or undergone, under the said enactments, or any of them.

THE SCHEDULE.

Number, Year and Short Title.	Sections.	Extent of repeal or modification.
Act XXIII of 1870 (the Indian Coinage Act, 1870).	19 to 26, both inclusive.	The whole to be repealed.
Act XX of 1882 (the Indian Paper Currency Act, 1882).	11	Clause (*b*), clause (*d*) and the proviso to be repealed.

Act XX

[*Price one anna and three pies.*]

THE SCHEDULE—*continued.*

Number, Year and Short Title.	Sections.	Extent of repeal or modification.
Act XX of 1882 (the Indian Paper Currency Act, 1882)—*contd.*	12	The word and letter "clause (*b*)" to be omitted.
	13	The words "to an extent to be specified in the order not exceeding one-fourth of the total amount of issues represented by coin and bullion as provided by this Act" to be omitted.
	14 and 15.	The whole sections to be repealed.
	21	For the proviso to sub-section (*1*) the following shall be substituted :—
		"Provided that any coin or bullion so received and appropriated may be sold or exchanged for gold or silver coin of the Government of India of the like value, which shall be so appropriated and set apart instead of the coin or bullion sold or exchanged."
		Sub-section (*2*) to be repealed.
	28	Sub-section (*1*), clause (*f*), to be omitted.
		Sub-section (*3*) to be repealed.

Government of India Central Printing Office.—No. 28 L. D.—12-7-93.—4,500.

ACT No. IX OF 1893.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 10th August, 1893.)

An Act to amend the Indian Tariff Act, 1882, as amended by subsequent Acts.

X. 1882.

WHEREAS it is expedient to amend the Indian Tariff Act, 1882, as amended by subsequent Acts; It is hereby enacted as follows:—

Import of dry and wet salt-fish into Burma.

1. After No. 4 (Salt) in the second schedule to the Act aforesaid, the following is hereby inserted, namely:—

No.	Names of Articles.	Per	Tariff valuation.	Rate of duty.
4A.	Dry salt-fish and wet salt-fish (*ngapi*) imported into Burma from any place beyond the limits of British India.	Indian maund of 82⅔ lbs. avoirdupois weight.	...	Such rate or rates of duty, not exceeding twelve annas, as the Governor General in Council may, by notification in the Gazette of India, from time to time prescribe.

Export of rice-flour.

2. To the words "Rice whether husked or unhusked" in the first column of the third schedule to the Act aforesaid, the words "including rice-flour" are hereby added.

[*Price one anna.*]

Government of India Central Printing Office.—No. 39 L. D.—26-8-93—8,600.—A. E. dc3

ACT No. X OF 1893.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 1st September, 1893.)

An Act to amend the Excise Act, 1881.

XXII of 1881.

WHEREAS it is expedient to amend the Excise Act, 1881; It is hereby enacted as follows:—

Addition of *Explanation* to section 7, Act XXII, 1881.

1. The following shall be added to section 7 of the said Act, namely:—

"*Explanation.*—Duty may be fixed or made payable under this section at different rates according to the places to which any spirit is to be removed for consumption."

Insertion of new section after section 23, Act XXII, 1881. Spirits, fermented liquor and intoxicating drugs from territory beyond India subject to duty.

2. After section 23 of the said Act the following shall be inserted, namely:—

"23A. The Governor General in Council may from time to time, by notification in the Gazette of India, impose such duty as he thinks fit on any spirit or fermented liquor or intoxicating drug brought by land from beyond the limits of India into any territory to which this Act extends or into any specified part thereof, and may alter or abolish any duty so imposed."

New heading to Chapter V, Act XXII, 1881.

3. The heading to Chapter V of the said Act shall be—

"IMPORT OF SPIRIT, FERMENTED LIQUOR AND INTOXICATING DRUGS."

Amendment of section 36, Act XXII, 1881.

4. (1) To clause (*c*) of section 36 of the said Act the word "or," shall be added.

(2) After

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(*2*) After the said clause the following clause shall be added, namely :—

" (*d*) without payment of such duty (if any) as may for the time being be payable in pursuance of a notification under section 23A, brings any spirit or fermented liquor or intoxicating drug into any territory to which this Act extends,".

(*3*) In the last paragraph of the said section 36, the words " or intoxicating drug " shall be inserted between the words "fermented liquor " and the words " together with".

Government of India Central Printing Office.—No. 43 L. D.—19-9-93.—3,900—A. E. doS.

ACT No. XI OF 1893.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 21st September, 1893.)

An Act to make provision for certain matters connected with the Tributary Mahals of Orissa.

WHEREAS it is expedient to repeal certain enactments relating to the Tributary Mahals of Orissa, and to indemnify certain persons and validate acts done by them in, or in relation to, the said Mahals, and to admit of certain sentences passed in those Mahals being carried into effect in British India; It is hereby enacted as follows:—

Title, extent and commencement.

1. (*1*) This Act may be called the Tributary Mahals of Orissa Act, 1893.

(*2*) It extends to the whole of British India; and

(*3*) It shall come into force at once.

Repeal.

2. The enactments specified in the schedule are repealed to the extent mentioned in the fourth column thereof.

Indemnity in respect of acts done before the commencement of this Act

3. No suit, prosecution or other proceeding shall be begun or continued in respect of any act done before the commencement of this Act by any officer of the Government in respect of any of the Tributary Mahals of Orissa or any inhabitant thereof, such act purporting to have been done in the exercise of executive or judicial authority, and having, before or after the commencement of this Act, been ratified by the Government; and every such act is hereby confirmed and made valid, and every such officer indemnified and discharged from liability in respect thereof.

4. (*1*) The

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Execution in British India of certain sentences passed in Tributary Mahals

4. (*1*) The Lieutenant-Governor of Bengal may authorise the reception, detention or imprisonment in any place under his government, for the period specified in the sentence, of—

(*a*) any person sentenced to imprisonment or transportation for any term by any Court or tribunal acting under the authority of the British Government in, or in respect of, any Tributary Mahal in Orissa;

(*b*) any Native Indian subject of Her Majesty residing in any such Mahal, or any Native subject of a Chief of any such Mahal, when, in either case, such Native subject as aforesaid has been sentenced by such a Chief or by a subordinate Court of such a Chief to imprisonment for a term exceeding six months.

(*2*) The place or places within the territories subject to the Lieutenant-Governor of Bengal in which persons may be received, detained or imprisoned under sub-section (*1*) shall be such as the said Lieutenant-Governor may, by general or special order, direct.

(*3*) A sentence shall be of the same force and effect in the place in which it may be carried into effect under this section as if it had been passed by a competent Court in that place.

THE SCHEDULE.

Year.	Number.	Subject.	Extent of repeal.
1	2	3	4
PART I.—*Act of the Governor General in Council.*			
1850	XX	For settling the boundaries of the Tributary Mahals in Cuttack.	The whole.

PART II.

THE SCHEDULE—*contd.*

PART II.—*Regulations of the Bengal Code.*

Year.	Number.	Subject.	Extent of repeal.
1	2	3	4
1805 .	XII	Settlement and collection of the public revenue in the Zillah of Cuttack.	In section 36, *from* Provided also *to the end.* Section 37.
1805 .	XIII	Maintenance of the peace and the support and administration of the Police in the Zillah of Cuttack.	In section 13, *from* Provided *to the end.*
1816 .	XI	Receiving, trying and deciding claims to the right of inheritance or succession in certain Tributary Estates in Zillah Cuttack.	The whole.

Government of India Central Printing Office.—No 51 L. D.—15-10 93.—4,400.—G. S. R.